



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

u

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,258	08/29/2003	Alexander Vaschillo	MS303849.1/MSFTP449US	1975
27195 7590 10/12/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER WOO, ISAAC M	
			ART UNIT 2166	PAPER NUMBER
			NOTIFICATION DATE 10/12/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
osteuball@thepatentattorneys.com

Office Action Summary	Application No.	Applicant(s)	
	10/652,258	VASCHILLO ET AL.	
	Examiner	Art Unit	
	Isaac M. Woo	2166	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) 34-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Amendments filed on August 30, 2007 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1, 9 and 24 are amended. Claims 1-46 are now pending (33-46 are withdrawn). Claims 1-33 are presented for examination for this office action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Koch et al (U.S. Pub. No. 2003/0055828, hereinafter, "Koch").

With respect to claim 1 and 24, Koch teaches a declarative description component that generates facilitates generation of data in an implementation-neutral, declarative format based upon an eXtensible Markup Language (XML) syntax (page 8,

Art Unit: 2166

sections 0087-0088), that represents the relational database (fig. 16A-B, page 6, section 0064), generates a file, and stores the data in the file (page 6, sections 0064-0069), the file facilitates reconstruction of the relational database when disconnected from the relational database (page 4, sections 0054-0058), the declarative description component facilitates updates to the relational database such that changes to the data in the files while disconnected from the relational database are utilized to update the relational database when the file connected with the relational database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 2, Koch teaches the data is generated from relational database schema information (fig. 16A-B, page 6, section 0064).

With respect to claim 3, Koch teaches the schema information is in the form of metadata (fig. 16A-B, page 6, section 0064).

With respect to claim 4, Koch teaches the declarative description component derives logical and physical information from the relational database (fig. 16A-B, page 6, section 0064).

With respect to claim 5, Koch teaches the physical information is harvested directly from schema information of the relational database (fig. 16A-B, page 6, section 0064).

With respect to claim 6, Koch teaches the logical information is generated with annotation information associated with the relational database (fig. 16A-B, page 6, section 0064).

With respect to claim 7, Koch teaches the annotation information is obtained at least one of manually by a user and automatically by the system, or by a combination (fig. 16A-B, page 6, section 0064).

With respect to claim 8, Koch teaches the logical information describes a relationship between at least two tables of the relational database (fig. 16A-B, page 6, section 0064).

With respect to claim 9, Koch teaches the declarative description component is based upon an XML syntax (page 8, sections 0087-0088).

With respect to claim 10, Koch teaches the data is segmented into smaller data portions (page 8, sections 0087-0088).

With respect to claim 11, Koch teaches the data is segmented to allow logical extensions thereof (page 8, sections 0087-0088).

With respect to claim 12, Koch teaches the data is a logical view of metadata of the relational database (page 8, sections 0087-0088).

With respect to claim 13, Koch teaches the description component generates the data with sufficient metadata to allow generation and/or execution of create, read, update, and delete operations against the relational database (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).

With respect to claim 14, Koch teaches the declarative description component derives physical information from the relational database to generate the data, which physical information is regenerated each time the description component executes against the database (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).).

With respect to claim 15, Koch teaches the data is updated by executing the declarative description component against the database to overwrite the data (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).

With respect to claim 16, Koch teaches the updated data preserves user-supplied extensions (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).

With respect to claim 17, Koch teaches an application using the data initiates an update process of the data (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).

With respect to claim 18, Koch teaches a classification component that performs an automated function, the classification component employs at least one of a probabilistic-based analysis or statistical-based analysis, or a combination, to infer that an automated function be automatically performed (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).

With respect to claim 19, Koch teaches the automated function automatically determines at least one of when the data will be updated and what location will be updated, or a combination (page 8, sections 0087-0088, fig. 16A-B, page 6, section 0064).

With respect to claim 20, Koch teaches the classification component is a support vector machine (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 21, Koch teaches the automated function includes automatically annotating physical information representative of the relational database

Art Unit: 2166

to generate logical information associated with the relational database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 22, Koch teaches returning a degree of certainty that annotation of the physical information is correct (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 23, Koch teaches computer operating (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 25, Koch teaches the declarative description component derives logical and physical information from the metadata, which physical information is derived directly from the metadata, and which logical information includes annotations of the physical information (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 26, Koch teaches the annotation information is added incrementally (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 27, Koch teaches the data file is segmented into smaller data tiles to allow logical extensions thereof (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 28, Koch teaches the data file is stored local to the database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 29, Koch teaches the declarative description component runs against the relational database from a location remote from the relational database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 30, Koch teaches the relational database is distributed across at least two network locations such that the description component runs against each location database to generate respective data files (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 31, Koch teaches the respective data files are retrieved and processed to regenerate the relational database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 32, Koch teaches the data files are retrieved and processed by corresponding applications in a disconnected environment (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 33, Koch teaches the format is one of implementation-neutral or implementation-specific (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Isaac Woo
October 5, 2007

Notice of References Cited	Application/Control No. 10/652,258	Applicant(s)/Patent Under Reexamination VASCHILLO ET AL.	
	Examiner Isaac M. Woo	Art Unit 2166	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2003/0055828	03-2003	Koch et al.	707/10
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.